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BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP

FACSIMILE COVER SHEET

From:	Seth H. Ostrow	**Date:**	June 2, 2003
Direct Dial:	212-895-2040	**Client/Matter #:**	4982/5

PLEASE DELIVER AS SOON AS POSSIBLE TO:

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1.	Ms. Ella Colbert	U.S. Patent and Trademark Office Crystal Park 5, 7th Floor	703-746-5622	703-308-7064

Total number of pages including this page: .
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Message:

Re: U.S. Patent Application Serial No. 09/354,058

(handwritten: Please Enter. EC 6-3-03)

(handwritten: I was in error sorry)

BRMFS1 408138v1

ATTORNEY DOCKET NO. 4982/5
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of   :   John CRESCENTI et al.

Serial No.   :   09/354,058   Examiner: Ella Colbert

Filed   :   July 15, 1999   Group Art Unit: 2172

Title   :   HIERARCHICAL BACKUP AND RETRIEVAL
                             SYSTEM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Madam:

This is in response to the Office Action dated September 30, 2002 and

follows a Request for Continued Examination on January 30, 2003 and an interview with

the Examiner conducted May 20, 2003 at the United States Patent and Trademark Office.

IN THE ABSTRACT

Please delete the following text of the Abstract, which appears on page 29,

lines 9-15, and reads "Thus, the first software agent can direct or alter the parameters of

the second software agent to define a new backup regimen for the backup cell controlled

by the second software agent. Or, if the second software agent fails or cannot function

properly, the first software agent can direct the backup of the second cell. The software

agents need not operate on separate computing devices. Additionally, a backup hierarchy

may be achieved using the communication and control techniques of the software

agents."

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